

## **REMARKS**

### **Entry of Amendment**

As Applicants are filing a RCE herewith, this amendment should be entered and considered by the Examiner at this time.

### **Amendment to Claims**

In this amendment, Applicants have deleted several limitations from the independent claims, and amended dependent Claims 9, 10, 12, and added new Claims 40 and 41 to recite these limitations. Applicants are also amending dependent Claims 11 and 36-38. No new matter is being added.

Applicants are also canceling Claims 13 and 14 without prejudice or disclaimer.

It is respectfully requested that these amendments be entered and allowed.

Applicants will now address each of the Examiner's rejections in the order in which they appear in the Final Rejection.

### **Claim Rejections - 35 USC §103**

#### **Claims 1-3, 9-14, 23, 37, 39**

In the Final Rejection, the Examiner continues to reject Claims 1-3, 9-14, 23, 37 and 39 under 35 USC §103(a) as being unpatentable over Yamagata (US 2002/0070385), in view of Koyama (US 2001/0002703) in view of Himeshima et al. (JP 09-235546), Jones (US 6,069,443) and Sato et al. (US 2002/0140646). This rejection is respectfully traversed.

In the rejection in the Final Rejection, the Examiner contends that Yamagata discloses in Figs. 9A-9C, a transistor (963) formed over a substrate, a first layer (939), and a photosensitive organic resin film (939) having an opening. Hence, the Examiner is contending that second interlayer-insulating film (939) in Yamagata is both the claimed first layer and the claimed photosensitive organic resin film. In the “Response to Arguments” section in the Final Rejection, the Examiner contends that “nowhere do the claimed characteristics of the first layer and the photosensitive organic resin film preclude their provision as a single film.” Applicants respectfully disagree.

However, while Applicants traverse this rejection, in order to advance the prosecution of this application, Applicants are amending independent Claims 1, 2, and 23 to recite the feature that the photosensitive organic resin film is formed over and in contact with the first passivation film (which is formed over the first layer). This feature is supported by, for example, Fig. 3 and page 7, lines 27-29 in the specification of the present application.

Therefore, in contrast to the Examiner’s prior contentions, it is respectfully submitted that as amended, the first layer and the photosensitive organic resin film cannot be a single film, as in Yamagata.

Therefore, the cited references (even if combined, which Applicants do not admit is proper) do not disclose or suggest the device of independent Claims 1, 2 and 23, and Claims 1, 2, 23 and those claims dependent thereon are patentable over these references. Accordingly, it is respectfully requested that this rejection be withdrawn.

#### Claim 4

The Examiner also rejects Claim 4 under 35 USC §103(a) as being unpatentable over Yamagata, Koyama, Himeshima, Jones and Sato and further in view of Yamazaki et al. (US 6,359,320). This rejection is also respectfully traversed.

This claim is a dependent claim. Therefore, for at least the reasons discussed above for the independent claims, this claim is also patentable over the cited references. Accordingly, it is respectfully requested that this rejection be withdrawn.

#### Claim 5

The Examiner also rejects Claim 5 under 35 USC §103(a) as being unpatentable over Yamagata, Koyama, Himeshima, Jones and Sato and further in view of Tamai et al. (US 5,793,497). This rejection is also respectfully traversed.

This claim is a dependent claim. Therefore, for at least the reasons discussed above for the independent claims, this claim is also patentable over the cited references. Accordingly, it is respectfully requested that this rejection be withdrawn.

#### Claims 6 and 38

The Examiner also rejects Claims 6 and 38 under 35 USC §103(a) as being unpatentable over Yamagata, Koyama, Himeshima, Jones and Sato and further in view of *Producing Monolithic Light Emitting Diode Display Chips* (IBM Technical Disclosure Bulletin Vol. 16, Issue 1, Pg. 6, 6/1/1973). This rejection is also respectfully traversed.

These claims are dependent claims. Therefore, for at least the reasons discussed above for the independent claims, these claims are also patentable over the cited references. Accordingly, it is respectfully requested that this rejection be withdrawn.

#### Claims 15 and 36

The Examiner also rejects Claims 15 and 36 under 35 USC §103(a) as being unpatentable over Yamagata, Koyama, Himeshima, Jones, Sato and further in view of Tamano et al. (US 5,968,675). This rejection is also respectfully traversed.

This claim is a dependent claim. Therefore, for at least the reasons discussed above for the independent claims, this claim is also patentable over the cited references. Accordingly, it is respectfully requested that this rejection be withdrawn.

#### New Claims

As mentioned above, Applicants are adding new dependent Claims 40 and 41. As these are dependent claims, they are allowable for at least the reasons discussed above for the independent claims. Accordingly, as a RCE is being filed herewith, it is respectfully requested that these new claims be entered and allowed.

If a fee should be due for these new claims, please charge our deposit account 50/1039.

#### Conclusion

It is respectfully submitted that the present application is in a condition for allowance and should be allowed.

If any further fee should be due for this amendment, the new claims, and/or the RCE, please charge our deposit account 50/1039.

Favorable reconsideration is earnestly solicited.

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Respectfully submitted,

/Mark J. Murphy/  
Mark J. Murphy  
Registration No. 34,225

COOK ALEX LTD.  
200 West Adams Street  
Suite 2850  
Chicago, Illinois 60606  
(312) 236-8500

Customer No. 26568